

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE

MAYRA MACARAIG VIÑAS

Debtor

CASE NO. 08-04888 BKT

CHAPTER 11

**DEBTOR'S URGENT MOTION TO RECONSIDER ORDER DISMISSING CASE
&/OR THE SETTING ASIDE ORDER TO DISMISS CASE**

TO THE HONORABLE COURT:

COMES NOW debtor herein, **MAYRA MACARAIG VIÑAS**, and respectfully represents:

1. This case was dismissed by this Court on August 10th, 2009 (Docket Entry #144).
2. On July 6th, 2009 this attorney filed a Motion requesting time to review and submit or file the missing Exhibit fo the Disclosure Statement (Docket Entry #137), pointing that we had an emergency situation in our office.
3. On the same date our office called the US Trustee explaining the emergency situation the they expressed that they agree with our request.
4. The Motion was denied as per Order dated July 8th, 2009 (Docket Entry #138), but this attorney was out of our office attending the emergency occurred.
5. On April 8th, 2009 our paralegal's grandson, a premature baby, who had complications at birth was hospitalized for 14 days.
6. After his discharge on April 22, 2009, the baby was with his parents for two months, when another health complication arose and the baby was taken to the hospital again.
7. When the baby arrived to Centro Médico, the *Departamento de la Familia* alleged physical abuse against our paralegal's family.
8. Her grandson of three months was hospitalized in *Centro Médico*, Río Piedras on June 29th, 2009 in critical and serious health complication. Our paralegal has been several days and nights in the hospital taking care of him. Therefore, our office has not had her assistance and help in the bankruptcy cases.

9. The subscribing attorney represent our paralegal's son in the case of *Departamento de la Familia vs. Yinette Ortiz Ortiz et als*. The hearing of the case was scheduled for August 19th, 2009 and was continued for October 2nd, 2009. During this month this attorney is preparing the discovery of evidence, and due to the sensitivity of this situation we have not time review the instant case, besides not having the assistance of our bankruptcy paralegal in our office the most of the time.

10. It was highly imperative that I personally attended our paralegal's situation, who with the whole situation is affected.

11. To aggravate the situation and while our paralegal was attending her grandson, his father of 72 years of age was deteriorating his health, and the same date of the hearing on August 19th, her father died, thus leading to more distress and pain to this family.

12. This situation which provoked accumulation of work in our office, and complicated our already backed up work.

13. Debtor herein is a single mother and it would be unjust and unreasonable to penalize with the dismissal of her case.

14. Debtor respectfully requests the reconsideration of the dismissal order and that the same be set aside.

NOTICE TO CREDITOR AND PARTIES IN INTEREST

Parties in interest are notified they have twenty (20) days to from the date of notice to oppose to the ***debtor's urgent motion to reconsider order dismissal case &/or the setting aside order to dismiss case*** and request a hearing. If no opposition is filed within the prescribed period of time, the Court at its discretion, may enter an Order granting the reconsideration of the dismissal order and reopen the case. Should an opposition be properly and timely filed, the Court will then schedule the matter for a hearing.

WHEREFORE debtor respectfully requests that the dismissal of his case be reconsidered and/or set aside for the reasons explained herein.

I HEREBY CERTIFY that a true and correct copy this motion was filed

Mayra Macaraig Viñas

Debtor's urgent motion to reconsider order dismiss case &/or the setting aside order to dismiss

08-04888 BKT-11

Page 3

electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the US Trustee; and to other parties in interest by regular mail as per matrix attached herein.

In Humacao, Puerto Rico this 26th of August 2009.

LAW OFFICES OF JUAN A SANTOS BERRIOS PSC
PO BOX 9102
HUMACAO PR 00792-9102
TEL(787)285-1001,FAX 285-8358
EMAIL: jsantosb@prtc.net

/s/Juan A. Santos Berrios
USDC-PR #212506

Label Matrix for local noticing
0104-3
Case 08-04888-BKT11
District of Puerto Rico
Old San Juan
Wed Aug 26 14:54:48 AST 2009

CORPORACION PARA EL FOMENTO ECONOMICO DE LA
1103 Munoz Rivera Avenue
San Juan, PR 00925-2729

US TRUSTEE
EDIFICIO OCHOA
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

ASOC DE TITULARES COND SIERRA DEL SOL
100 Ave La Sierra
BOX 225
SAN JUAN PR 00926-4316

BANCO POPULAR DE PUERTO RICO
CARD PRODUCTS DIVISION
PO BOX 70100
SAN JUAN PR 00936-8100

BANCO SANTANDER PUERTO RICO
PO BOX 362589
SAN JUAN PR 00936-2589

Banco Santander Puerto Rico
P.O. Box 194439
San Juan, PR 00919-4439

CAPITAL ONE BANK (USA), N.A.
C/O TSYS DEBT MANAGEMENT (TDM)
PO BOX 5155
NORCROSS, GA 30091-5155

CORP DEL FONDO DEL SEGURO DEL ESTADO
OFICINA REGIONAL DE SAN JUAN
PO BOX 42006
SAN JUAN PR 00940-2206

Department of Treasury
Bankruptcy Section (424-B)
P.O. Box 9024140
San Juan, Puerto Rico 00902-4140

AMERICAN EXPRESS TRS CO INC LATIN AMERICAN D
BECKET & LEE LLP
PO BOX 3001
MALVERN, PA 19355-0701

STATE INSURANCE FUND CORPORATION
C/O ALEJANDRO A. SUAREZ CABRERA
PO BOX 365028
SAN JUAN, PR 00936-5028

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

American Express Centurion Bank
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

BANCO POPULAR DE PUERTO RICO
PO BOX 70100
SAN JUAN PR 00936-8100

BLITZ RECOVERY SERVICES INC
CITIBANK TOWERS SUITE 1701
252 AVE PONCE DE LEON
SAN JUAN PR 00918-2001

CAPITAL ONE BANK
PO BOX 30285
SALT LAKE CITY UT 84130-0285

CARMAX AUTO FINANCE
PO BOX 3174
MILWAUKEE WI 53201-3174

CRIM
PO BOX 195387
SAN JUAN PR 00919-5387

FIA CARD SERVICES
PO BOX 15026
WILMINGTON DE 19886-5026

BANCO POPULAR
EDGAR A VEGA ESQ
PO BOX 362708
SAN JUAN, PR 00936-2708

TREASURY DEPARTMENT OF PUERTO RICO
FEDERAL LITIGATION DIVISION
DEPARTMENT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

AMERICAN EXPRESS
PO BOX 360002
FT LAUDERDALE FL 33336-0002

BANCO POPULAR DE PR
BANKRUPTCY DIVISION
PO BOX 366818
SAN JUAN PR 00936-6818

BANCO SANTANDER DE PUERTO RICO (VTQ)
MARTINEZ & TORRES LAW OFFICE
PO BOX 192938
SAN JUAN PR 00919-3409

BORINQUEN MEMORIAL PARK
PO BOX 1448
CAGUAS PR 00726-1448

CAPITAL ONE BANK
PO BOX 70884
CHARLOTTE NC 28272-0884

COFECC
PO BOX 191791
HATO REY PR 00919-1791

DEPARTMENT OF JUSTICE
FEDERAL LITIGATION DIVISION
PO BOX 9020192
SAN JUAN PR 00902-0192

FIA CARD SERVICES
PO BOX 15726
WILMINGTON DE 19886-5726

FIA Card Services, N.A.
Attn: Mr. BX
1000 Samoset Dr.
DE5-023-03-03
Newark, DE 19713-6000

FIRST DATA GLOBAL LEASING
PO BOX 173845
DENVER CO 80217-3845

FIRST FRANKLING MORTGAGE
PO BOX 660598
DALLAS TX 75266-0598

FLORIDA POWER & LIGHT COMPANY
PO BOX 025576
MIAMI FL 33102-5576

GE SERVICES LIMITED PARTNERSHIP
PO BOX 46960
SAINT LOUIS MO 63146-6960

JORGE EDUARDO MARTINEZ LANDRON ESQ
PO BOX 192938
SAN JUAN PR 00919-3409

JULIETTE DONATO BOFILL ESQ
GARDEN HILLS PLAZA MSC 357
1353 CARR 19
GUAYNABO PR 00966-2700

LOS ARBOLES DE MONTEHIEDRA COMMUNITY
BLVD DE LOS ANGELES
BOX 300
SAN JUAN PR 00960

MCCARTHY BURGESS & WOLFF
THE MB&W BUILDING
2600 CANNON ROAD
CLEVELAND OH 44146

PR DEPARTMENT OF TREASURY
BANKRUPTCY SECTION
PO BOX 9024140
SAN JUAN PR 00902-4140

RICK M MORSE CPA
ACCOUNTANT FOR DEBTOR
5521 UNIVERSITY DRIVE SUITE 201
CORAL SPRINGS
FLORIDA 33067-4648

SANTANDER MORTGAGE
PO BOX 70117
SAN JUAN PR 00936-8117

STATE INSURANCE FUND CORPORATION
PO BOX 365028
SAN JUAN, PR 00936-5028

WAGNER & HUNT PA
PO BOX 934788
MARGATE FL 33093-4788

ANTONIA CABRERO MENDEZ
REALTOR FOR DEBTOR
PO BOX 363883
SAN JUAN, PR 00936-3883

JUAN A SANTOS BERRIOS
LAW OFFICES OF JUAN A SANTOS BERRIOS PSC
PO BOX 9102
HUMACAO, PR 00792-9102

MAYRA MACARAIG VINAS
168 CALLE WESER
RIO PIEDRAS, PR 00926-3201

MONSITA LECAROS ARRIAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

RICK M MORSE
ACCOUNTANT FOR DEBTOR
5521 UNIVERSITY DRIVE SUITE 201
CORAL SPRINGS
FLORIDA, FL 33067-4648

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BANCO SANTANDER DE PUERTO RICO (VTQ)
MARTINEZ & TORRES LAW OFFICES, P.S.C.
PO BOX 192938

(u)First Franklin Financial Corp. through its

(u)First Franklin Financial Corp. through its

(d)SANTANDER MORTGAGE CORPORATION
PO BOX 70117
SAN JUAN PR 00936-8117

End of Label Matrix
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Bypassed recipients 4
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